



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-B-1244]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses

are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that

the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This interim rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This interim rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Jefferson	City of Birmingham (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable William Bell Mayor, City of Birmingham 710 North 20th Street Birmingham, AL 35203	April 9, 2012	010116
Alabama: Jefferson	City of Mountain Brook (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable Lawrence Terry Oden Mayor, City of Mountain Brook 3928 Montclair Road Mountain Brook, AL 35213	April 9, 2012	010128
Alabama: Jefferson	Unincorporated areas of Jefferson County (11-04-6751P)	December 2, 2011 December 9, 2011 <u><i>The Birmingham News</i></u>	The Honorable David Carrington President, Jefferson County Commission 716 Richard Arrington, Jr. Boulevard North Birmingham, AL 35203	April 9, 2012	010217
Arizona: Coconino	City of Flagstaff (11-09-0801P)	October 27, 2011 November 3, 2011 <u><i>The Arizona Daily Sun</i></u>	The Honorable Sara Presler Mayor, City of Flagstaff 211 West Aspen Avenue Flagstaff, AZ 86001	March 2, 2012	040020
Arizona: Maricopa	City of Peoria (11-09-3985P)	December 8, 2011 December 15, 2011 <u><i>The Arizona Business Gazette</i></u>	The Honorable Bob Barrett Mayor, City of Peoria 8401 West Monroe Street Peoria, AZ 85345	November 29, 2011	040050
Colorado: Arapahoe	City of Centennial (11-08-0818P)	December 8, 2011 December 15, 2011 <u><i>The Littleton Independent</i></u>	The Honorable Cathy Noon Mayor, City of Centennial 13133 East Arapahoe Road Centennial, CO 80112	April 13, 2012	080315
Colorado: Arapahoe	City of Centennial (11-08-1095P)	December 8, 2011 December 15, 2011 <u><i>The Littleton Independent</i></u>	The Honorable Cathy Noon Mayor, City of Centennial 13133 East Arapahoe Road Centennial, CO 80112	April 13, 2012	080315
Colorado: Routt	Town of Hayden (11-08-0603P)	November 6, 2011 November 13, 2011 <u><i>The Steamboat Pilot & Today</i></u>	The Honorable Jim Haskins Mayor, Town of Hayden 178 West Jefferson Avenue Hayden, CO 81639	March 12, 2012	080157

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: Weld	City of Fort Lupton (11-08-0714P)	November 9, 2011 November 16, 2011 <u><i>The Greeley Tribune</i></u>	The Honorable Tommy Holton Mayor, City of Fort Lupton 130 South McKinley Avenue Fort Lupton, CO 80621	March 15, 2012	080183
Colorado: Weld	Unincorporated areas of Weld County (11-08-0714P)	November 9, 2011 November 16, 2011 <u><i>The Greeley Tribune</i></u>	The Honorable Douglas Rademacher Chairman, Weld County Board of Commissioners 1150 O Street Greeley, CO 80631	March 15, 2012	080266
Florida: Lee	Unincorporated areas of Lee County (12-04-0347P)	December 7, 2011 December 14, 2011 <u><i>The News-Press</i></u>	The Honorable John Manning Chairman, Lee County Board of Commissioners 2120 Main Street Fort Myers, FL 33901	November 29, 2011	125124
Florida: Orange	City of Orlando (11-04-8600P)	December 5, 2011 December 12, 2011 <u><i>The Orlando Sentinel</i></u>	The Honorable Buddy Dyer Mayor, City of Orlando 400 South Orange Avenue Orlando, FL 32802	November 22, 2011	120186
New Mexico: Chaves	City of Roswell (11-06-0142P)	November 17, 2011 November 24, 2011 <u><i>The Roswell Daily Record</i></u>	The Honorable Del Jurney Mayor, City of Roswell 425 North Richardson Avenue Roswell, NM 88202	March 23, 2012	350006
New Mexico: Chaves	Unincorporated areas of Chaves County (11-06-0142P)	November 17, 2011 November 24, 2011 <u><i>The Roswell Daily Record</i></u>	The Honorable Stanton L. Riggs Chaves County Manager 1 Saint Mary's Place Roswell, NM 88203	March 23, 2012	350125
New Mexico: Santa Fe	Unincorporated areas of Santa Fe County (11-06-0697P)	November 29, 2011 December 6, 2011 <u><i>The Santa Fe New Mexican</i></u>	The Honorable Virginia Vigil Chairman, Santa Fe County Commissioners 102 Grant Avenue Santa Fe, NM 87501	November 23, 2011	350069

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
New York: Dutchess	Town of Dover (12-02-0166P)	November 23, 2011 November 30, 2011 <u><i>The Poughkeepsie Journal</i></u>	The Honorable Ryan Courtien Supervisor, Town of Dover 126 East Duncan Hill Road Dover Plains, NY 12522	May 3, 2012	361335
North Carolina: Dare	Unincorporated areas of Dare County (11-04-5020P)	September 8, 2011 September 15, 2011 <u><i>The Coastland Times</i></u>	The Honorable Warren Judge Chairman, Dare County Board of Supervisors 954 Marshall C. Collins Drive Manteo, NC 27954	August 30, 2011	375348
North Carolina: Orange	Town of Chapel Hill (10-04-6903P)	November 23, 2011 November 30, 2011 <u><i>The Chapel Hill Herald</i></u>	The Honorable Mark Kleinschmidt Mayor, Town of Chapel Hill 405 Martin Luther King Jr. Boulevard Chapel Hill, NC 27514	March 29, 2012	370180
North Carolina: Stanly	City of Albemarle (11-04-3287P)	November 3, 2011 November 10, 2011 <u><i>The Stanly News & Press</i></u>	The Honorable Elbert L. Whitley, Jr. Mayor, City of Albemarle 144 North 2nd Street Albemarle, NC 28001	March 9, 2012	370223
North Carolina: Stanly	Unincorporated areas of Stanly County (11-04-3287P)	November 3, 2011 November 10, 2011 <u><i>The Stanly News & Press</i></u>	Mr. Andy Lucas Stanly County Manager 1000 North 1st Street, Suite 10 Albemarle, NC 28001	March 9, 2012	370361
Texas: Denton	City of Denton (11-06-3838P)	November 17, 2011 November 24, 2011 <u><i>The Denton Record-Chronicle</i></u>	The Honorable Mark A. Burroughs Mayor, City of Denton 215 East McKinney Street Denton, TX 76201	November 10, 2011	480194
Texas: Guadalupe	City of Schertz (11-06-1933P)	November 28, 2011 December 5, 2011 <u><i>The Daily Commercial Recorder</i></u>	The Honorable Harold Baldwin Mayor, City of Schertz 1400 Schertz Parkway Schertz, TX 78154	April 3, 2012	480269
Texas: Guadalupe	City of Selma (11-06-1933P)	November 28, 2011 December 5, 2011 <u><i>The Daily Commercial Recorder</i></u>	The Honorable Tom Daly Mayor, City of Selma 9375 Corporate Drive Selma, TX 78154	April 3, 2012	480046

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Texas: Tarrant	City of Southlake (11-06-2709P)	November 10, 2011 November 17, 2011 <u><i>The Fort Worth Star-Telegram</i></u>	The Honorable John Terrell Mayor, City of Southlake 1400 Main Street, Suite 270 Southlake, TX 76092	March 16, 2012	480612
Texas: Wichita	City of Wichita Falls (11-06-1179P)	November 29, 2011 December 6, 2011 <u><i>The Times Record News</i></u>	The Honorable Glenn Barham Mayor, City of Wichita Falls 1300 7th Street Wichita Falls, TX 76301	April 4, 2012	480662
Virginia: Loudoun	Unincorporated areas of Loudoun County (11-03-0738P)	November 30, 2011 December 7, 2011 <u><i>The Loudoun Times Mirror</i></u>	The Honorable Scott K. York Chairman, Loudoun County Board of Supervisors 1 Harrison Street Leesburg, VA 20175	April 5, 2012	510090

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: February 15, 2012

Sandra K. Knight,

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

[FR Doc. 2012-4955 Filed 02/29/2012 at 8:45 am; Publication Date: 03/01/2012]